

United States Courts
Southern District of Texas
FILED

March 11, 2025

United States Court of Appeals
for the Fifth Circuit

Nathan Ochsner, Clerk of Court

United States Court of Appeals
Fifth Circuit

FILED

January 17, 2025

No. 23-40653

Lyle W. Cayce
Clerk

STATE OF TEXAS; STATE OF ALABAMA; STATE OF ARKANSAS;
STATE OF LOUISIANA; STATE OF NEBRASKA; STATE OF SOUTH
CAROLINA; STATE OF WEST VIRGINIA; STATE OF KANSAS;
STATE OF MISSISSIPPI,

Plaintiffs—Appellees,

versus

UNITED STATES OF AMERICA; ALEJANDRO MAYORKAS, *Secretary,
U.S. Department of Homeland Security*; TROY MILLER, *Senior Official
Performing the Duties of the Commissioner, U.S. Customs and Border
Protection*; PATRICK J. LECHLEITNER, *Senior Official Performing the
Duties of the Director of U.S. Immigrations and Customs Enforcement*; UR M.
JADDOU, *Director of U.S. Citizenship and Immigration Services*; JASON D.
OWENS, *Chief of the U.S. Border Patrol*,

Defendants—Appellants,

MARIA ROCHA; JOSE MAGANA-SALGADO; Nanci J. PALACIOS
GODINEZ; ELLY MARISOL ESTRADA; KARINA RUIZ DE DIAZ;
CARLOS AGUILAR GONZALEZ; LUIS A. RAFAEL; DARWIN
VELASQUEZ; JIN PARK; OSCAR ALVAREZ; DENISE ROMERO;
JUNG WOO KIM; ANGEL SILVA; HYU-WON JEON; ELIZABETH
DIAZ; BLANCA GONZALEZ; MOSES KAMAU CHEGE; MARIA
DIAZ,

Intervenor Defendants—Appellants,

No. 23-40653

STATE OF NEW JERSEY

Intervenor—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 1:18-CV-68

Before SMITH, CLEMENT, and HIGGINSON, *Circuit Judges*.

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

IT IS ORDERED and ADJUDGED that the judgment of the District Court is AFFIRMED IN PART and REVERSED IN PART, and the cause is REMANDED to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that each party bear its own costs on appeal.

The judgment or mandate of this court shall issue 7 days after the time to file a petition for rehearing expires, or 7 days after entry of an order denying a timely petition for panel rehearing, petition for rehearing en banc, or motion for stay of mandate, whichever is later. See Fed. R. App. P. 41(b). The court may shorten or extend the time by order. See 5th Cir. R. 41 I.O.P.



Certified as a true copy and issued
as the mandate on Mar 11, 2025

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Attest: *Lyfe W. Cuyca*
Clerk, U.S. Court of Appeals, Fifth Circuit

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

March 11, 2025

Mr. Nathan Ochsner
Southern District of Texas, Brownsville
United States District Court
600 E. Harrison Street
Room 1158
Brownsville, TX 78520

No. 23-40653 State of Texas v. USA
USDC No. 1:18-CV-68

Dear Mr. Ochsner,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk

Christy Combel

By: _____
Christy M. Combel, Deputy Clerk
504-310-7651

cc:

Mr. Jorge Benjamin Aguinaga
Mr. Brian Boynton
Mr. Monroe David Bryant Jr.
Mr. Matt A. Crapo
Mr. Nicholas S. Crown
Mr. Mark A. Csoros
Mr. Michael Dundas
Mr. Jeremy M. Feigenbaum
Mr. Carlos Moctezuma Garcia
Mr. Douglas Harry Hallward-Driemeier
Mr. Peter Karanjia
Mr. Joshua Koppel
Ms. Fatima L. Menendez
Mr. Anton Metlitsky
Ms. Ester Murdukhayeva

Ms. Melissa Nicole Patterson
Ms. Nina Perales
Ms. Mary Kelly Persyn
Mr. Andrew John Pincus
Mr. Mayur Prasad Saxena
Mr. Emerson A. Siegle
Ms. Meaghan McLaine VerGow
Mr. James J. Walker
Mr. Michael Ray Williams
Mr. David Zimmer